

ORIGINAL



BEFORE THE ARIZONA CORPORATION C

301F

COMMISSIONERS

JEFF HATCH-MILLER, CHAIRMAN
WILLIAM A. MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES

IN THE MATTER OF THE FORMAL
COMPLAINT OF ACCIPITER
COMMUNICATIONS, INC. AGAINST
VISTANCIA COMMUNICATIONS, L.L.C.,
SHEA SUNBELT PLEASANT POINT, L.L.C.
AND COX ARIZONA TELCOM, LLC.

Docket No. T-03471A-05-0064

NOTICE OF FILING

The Arizona Corporation Commission Staff ("Staff") hereby files the attached letter to Michael W. Patten regarding public disclosure of certain confidential emails and notes in the above-referenced Docket.

RESPECTFULLY SUBMITTED this 9th day of February 2006.

By

Maureen Scott
Attorney, Legal Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007
Telephone (602) 542-3402

Original and 13 copies of the foregoing
filed this 9th day of February, 2006, with:

Docket Control
Arizona Corporation Commission
1200 West Washington
Phoenix, AZ 85007

...

AZ CORP COMMISSION
DOCUMENT CONTROL

2006 FEB - 9 P 4: 44

RECEIVED

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COMMISSIONERS
JEFF HATCH-MILLER - Chairman
WILLIAM A. MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES



BRIAN C. McNEIL
Executive Director

ARIZONA CORPORATION COMMISSION

February 9, 2006

Michael W. Patten, Esq.
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Via Facsimile and United States Mail

Re: Consent to Public Release of Confidential Emails/Notes in the Matter of the
Formal Complaint of Accipiter Communications, Inc. Against Vistancia
Communications, L.L.C., Shea Sunbelt Pleasant Point, L.L.C., and Cox Arizona
Telcom, L.L.C.; Docket No. T-13471A-05-0064

Dear Mike:

Pursuant to Judge Node's request at the procedural conference last week, Staff has identified several additional confidential emails or notes which it requests that Cox consent to make public. These emails or notes are identified below by their Bates number:

C00318
C01377
C01378
C01425
C01429
C01432
C01639
C01640
C01649
C01657
C01658
C01784
C01951
C02168
C02170

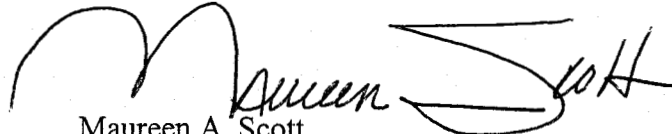
NOTE: The listed e-mails are in addition to those already identified in Commissioner Mayes' letter.

Michael W. Patten, Esq.
February 9, 2006
Page Two

It is likely that as Staff continues to review Cox's discovery responses, it will identify additional confidential emails or notes which it believes should be made public. In that event, we will send you the Bates numbers for those emails or notes under separate cover letter.

Thank you for your cooperation with this matter. Please do not hesitate to contact me if you have any questions concerning this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Maureen Scott". The signature is fluid and cursive, with the first name "Maureen" and the last name "Scott" clearly distinguishable.

Maureen A. Scott
Attorney, Legal Division

MAS:klc